

**Notice of Allowability**

Application No.

10/015,431

Examiner

DANH C. LE

Applicant(s)

BENSON, CHRISTOPHER M.

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/13/06.
2. ☒ The allowed claim(s) is/are 1,3-7,9-13,15-19,21 and 22.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Steven on 09/13/06.

Claims are amended as the following:

Claim 1. (currently amended) A method of providing an advertisement for a store to prospective customer comprising the steps of:

compiling an advertisement;

formatting the advertisement into a radio signal having a radio transmission protocol that is receivable by a personal device of a prospective customer, the personal device having a radio receiver enabled to receive the transmission protocol signal;

transmitting the radio signal from the store to a perimeter of a source of the radio signal with a signal strength sufficient to be received by a personal device that is removed from the source of the radio signal; and

in response to an offer contained in the advertisement, receiving a request from the personal device.

Claim 2 was cancelled.

Claim 3. (currently amended) The method of claim 1, wherein the perimeter is inside the store.

Claim 4. (currently amended) The method of claim 1, wherein the perimeter is outside the store.

Claim 7. (currently amended) An apparatus for providing an advertisement to a prospective customer comprising:

- a storage device operative to store an advertisement;

- a transmitter in communication with the storage device and operative to receive the advertisement from the storage device, the transmitter further operative to format the advertisement into a radio signal having a radio transmission protocol that is receivable by a personal device of a prospective customer having a radio receiver enabled to receive the transmission protocol signal;

- an antenna in communication with the transmitter and operative to transmit the radio signal with sufficient strength from the store to within a perimeter of the transmitter; and

- in response to an offer contained in the advertisement, receiving a request from the personal device.

Claim 8 was cancelled.

Claim 9. (currently amended) The method of claim 7, wherein the perimeter is inside the store.

Claim 10. (currently amended) The method of claim 7, wherein the perimeter is outside the store.

Claim 13. (currently amended) A system for store advertising comprising:

- a storage device operative to store a store advertisement;

a transmitter located at the store and in communication with the storage device and operative to receive the advertisement from the storage device, the transmitter further operative to format the advertisement into a radio signal having a radio transmission protocol that is receivable by a personal device of a prospective customer having a radio receiver enabled to receive the transmission protocol signal;

a receiver located at the store and operative to receive an incoming radio signal of the radio transmission protocol from the personal device of the prospective customer;

an antenna located at the store and in communication with the transmitter and the receiver, the antenna operative to transmit the radio signal with sufficient strength from the store to within a perimeter of the transmitter and receive the incoming radio signal from the personal device; and

in response to an offer contained in the advertisement, receiving a request from the personal device.

Claim 14 was cancelled.

Claim 15. (currently amended) The system of claim 13, wherein the perimeter is a limited distance outside of the store.

Claim 16. (currently amended) The system of claim 13, wherein the perimeter is inside of the store.

Claim 19. (currently amended) A system for store advertising comprising:

a storage device operative to store a store advertisement;

a transmitter in communication with the storage device and operative to receive the advertisement from the storage device, the transmitter further operative to format

the advertisement into a radio signal having a radio transmission protocol that is receivable by a personal device of a prospective customer having a radio receiver enabled to receive

the transmission protocol signal;

an antenna located at or about a position proximate to the store and in communication with the transmitter and the receiver, the antenna operative to transmit the radio signal with a signal strength sufficient to be received by a personal device that is greater than 50 meters removed from the antenna; and

in response to an offer contained in the advertisement, receiving a request from the personal device.

Claim 20 was cancelled.

***Allowable Subject Matter***

The following is an examiner's statement of reasons for allowance:

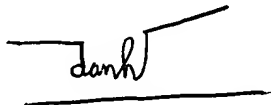
Claims 1, 3-7,9-13, 15-19, 21-22 are allowed as stated in the Applicant 's remark on page 8.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C. LE whose telephone number is 571-272-7868. The examiner can normally be reached on 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read "danh", is written over a horizontal line.

September 15, 2005  
DANH CONG LE  
PRIMARY EXAMINER